

Attorney's Docket No.: 07880-126001

OFFICIAL COMMUNICATION FACSIMILE:**OFFICIAL FAX NO: (703) 872-9306**

Number of pages including this page 2

RECEIVED
CENTRAL FAX CENTER
SEP 16 2004

Applicant : Aura Ganz et al.
Serial No. : 09/502,143
Filed : February 11, 2000

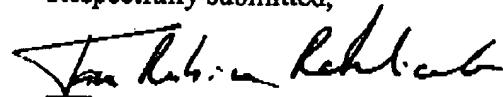
Art Unit : 2665
Examiner : Dang Ton

Title : ADAPTIVE MEDIA CONTROL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attached to this facsimile communication cover sheet is Notice of Appeal, faxed this 14th day of September, 2004, to the United States Patent and Trademark Office.

Respectfully submitted,



J. Robin Rohlicek, J.D., Ph.D.
Reg. No. 43,349

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Fax: (617) 542-8906

20939005.doc

NOTE: This facsimile is intended for the addressee only and may contain privileged or confidential information. If you have received this facsimile in error, please immediately call us collect at (617) 542-5070 to arrange for its return. Thank you.

Attorney's Docket No.: 07880-126001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Aura Ganz et al.
Serial No. : 09/502,143
Filed : February 11, 2000
Title : ADAPTIVE MEDIA CONTROL

Art Unit : 2665
Examiner : Dang Ton

RECEIVED
CENTRAL FAX CENTER

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SEP 16 2004

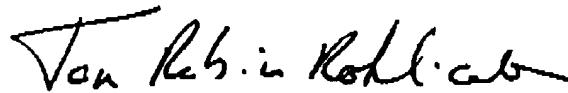
NOTICE OF APPEAL

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the action dated May 21, 2004, finally rejecting claims 1, 3-8, 12, 14-17, 19-22, 24-38, and 41-47.

Please apply \$330 for the appeal fee and any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: Sept. 14, 2004



J. Robin Rohlicek, J.D., Ph.D.
Reg. No. 43,349

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

20938992.doc

CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated below.

September 14, 2004

Date of Transmission

Signature

Terri L. Knox

Typed or Printed Name of Person Signing Certificate